

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75071 of 2024

Arising Out of PS. Case No.-1075 Year-2024 Thana- Excise P.S. District- Kishanganj

Nitesh Kumar @ Nitish Kumar Son of Naval Dubay Resident of Mathura
Sultanpur, Pachkatiya, P.S. - Bidhutpur, District - Hajipur (Vaishali)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh
		Mr. Ravi Kant
For the Opposite Party/s	:	Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-10-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 875 liters of illicit spirit has been recovered from the vehicle in question.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. Petitioner is in custody since 13.09.2024 and claims clean antecedent.

5. Learned A.P.P. has vehemently opposed the prayer for bail.



6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Kishanganj/concerned Court below in connection with Utpad Thana Kishanganj Case No. 1075 of 2024 subject to conditions that:-

7(i). The petitioner will mark his attendance at the Bidhutpur Police Station on every Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii). Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

(Sandeep Kumar, J)

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